

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE DELCATH SYSTEMS, INC.
SECURITIES LITIGATION**

)
) **13 Civ. 3116 (LGS)**
)
) **CLASS ACTION**
)
)
)

**LEAD PLAINTIFFS' NOTICE OF MOTION AND UNOPPOSED MOTION FOR
FINAL APPROVAL OF THE SETTLEMENT, PLAN OF ALLOCATION, AN
AWARD OF ATTORNEYS' FEES AND EXPENSES AND LEAD PLAINTIFF
COMPENSATORY AWARDS**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiff Delcath Systems Group, Inc., comprised of Bahman Teimourian, Sam Etheridge, Peter Sutherland, and Robert Howard ("Lead Plaintiffs") will hereby move this Court, on October 19, 2015, at 11:00 a.m., for entry of orders: (i) approving the proposed settlement of the above-captioned class action; (ii) approving the proposed Plan of Allocation; and (iii) granting such other and further relief as the Court may deem just and proper. This Motion is based on: (i) a Memorandum of Law in Support of Lead Plaintiffs' Unopposed Motion for Final Approval of the Settlement, Plan of Allocation, an Award of Attorneys' Fees and Expenses, and Lead Plaintiff Compensatory Awards; (ii) the Declaration of Tamar A. Weinrib in Support of Unopposed Motion for Final Approval of the Settlement, Plan of Allocation, an Award of Attorneys' Fees and Expenses, and Lead Plaintiff Compensatory Awards, dated September 21, 2015; (iii) the Declaration of Stephen J. Oddo in Support of Application for an Award of Attorneys' Fees and Expenses, dated September 14, 2015; (iv) the Affidavit of Jose C. Fraga Regarding Mailing of the Notice and Proof of Claim Form and Publication of the Summary Notice, dated September 17, 2015; (iv) all of the prior pleadings and

papers in this Action; and (v) such additional information or argument as may be required by the Court.

Proposed orders will be submitted with Lead Plaintiffs' reply submission after the deadline for requesting exclusion and objecting has passed.

Dated: September 21, 2015

Respectfully submitted,

POMERANTZ LLP

/s/ Tamar A. Weinrib

Marc I. Gross
Tamar A. Weinrib
600 Third Avenue
New York, NY 10016
(212) 661-1100

Plaintiffs' Lead Counsel